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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1666 of 2015

Mr Sameer Shaikh and Anr Vs. The State of Maharashtra.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms Sonali Parab i/by Rajeev Sawant & Associates for the applicants.

Smt. P.P. Shinde, APP for the State.

Smt. M.H. Mhatre, APP present.

Mr M.N.Dhamal i/by Ajay Saravade for respondent No.2.

CORAM : A.S.GADKARI, J.

DATE : 25th January, 2016

P.C.

1) The applicants are apprehending arrest in CR No. 281/2015 registered with Nehru Nagar Police Station, Mumbai dated 19.10.2015 for the offence punishable under sections 406, 420 read with section 34 of the IPC.

2) After hearing the learned counsel for the applicants when this Court was not inclined to grant any relief in favour of applicant no.1, namely Sameer Shaikh, the learned counsel for the applicants, on instructions, seeks leave to withdraw the present application, qua the

said applicant no.1, with liberty to surrender before the Investigating Officer on or before 29.1.2016 at about 11:00 a.m. Leave and liberty granted. The present application as far as Sameer Shaikh, applicant no.1 is concerned, is dismissed as withdrawn.

3) As far as the applicant no.2 Mrs Alina Sameer Shaikh is concerned, the FIR lodged by Sanjay Kamble dated 19.10.2015 discloses that the applicant no.2 has not played any vital role in the present crime. It appears that, she being the wife of applicant no.1 Sameer Shaikh, has been impleaded in the present crime. It is further the case of the prosecution that an amount of Rs.50,00,000/- has been transferred by the applicant no.1 Sameer Shaikh in the account of the applicant no.2 after he received the amount from the complainant. It further appears from the papers of investigation that the account of the applicant no.2 has been freezed by the police during the course of investigation.

4) In view of the above, I am inclined to grant pre-arrest bail to the applicant no.2.

5) Hence, the following order:

ORDER

(a) In the event of arrest of applicant No.2 Smt. Alina Sameer Shaikh in CR No. 281/2015 registered with Nehru

Nagar Police Station, Mumbai, she shall be released on her furnishing a PR. bond of Rs.25,000/- with one or two solvent local sureties in the like amount;

(b) The applicant no.2 shall attend the Investigating Officer for the purpose of investigation as and when called for between 10:00 a.m. to 12:00 noon; It is needless to mention that before calling the applicant No.2 to the police station, the concerned police officer shall issue a notice under section 160 of Cr.PC;

c) The application is partly allowed in the aforesaid terms.

(A.S. GADKARI, J.)